

On May 22, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13985. Adulteration and misbranding of prepared mustard. U. S. v. 3 Barrels of Salad Prepared Mustard. Default order of destruction entered. (F. & D. No. 19473. I. S. No. 9832-v. S. No. W-1631.)

On January 14, 1925, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 barrels, each containing 50 gallons, of salad prepared mustard, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by Plochman & Witt, from Chicago, Ill., June 12, 1924, and transported from the State of Illinois into the State of Utah, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Salad Prepared Mustard Colored With Turmeric. Manufactured by Plochman & Witt, Chicago."

Adulteration of the article was alleged in the libel for the reason that a substance, mustard bran, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Salad Prepared Mustard Colored With Turmeric," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On June 24, 1925, no claimant having appeared for the property, a decree was entered, adjudging the product to be adulterated and misbranded, and it was ordered by the court that the said product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13986. Adulteration of shelled dried chestnuts. U. S. v. 80 Sacks of Shelled Dried Chestnuts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20634. I. S. No. 8084-x. S. No. E-5583.)

On November 20, 1925, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 80 sacks of shelled dried chestnuts, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Luigi Zaverio Cavargna, from Genoa, Italy, in part on or about January 15, 1925, and in part on or about January 25, 1925, and transported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On December 5, 1925, F. Romeo & Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion and the former destroyed or denatured under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13987. Misbranding of currants. U. S. v. Frank C. Schilling Co. Plea of guilty. Fine, \$1. (F. & D. No. 11624. I. S. No. 9102-r.)

On June 25, 1920, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank C. Schilling Co., a corporation, Green Bay, Wis., alleging shipment by said company, in violation of the food and drugs act as amended, on or about July 30, 1919, from the State of Wisconsin into the State of Illinois, of a quantity of currants in crates which were misbranded. The article was labeled in part: (Crate) "From Schilling Green Bay."

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 27, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$1.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13988. Adulteration of butter. U. S. v. 300 Tubs of Butter. Product ordered released under bond. (F. & D. No. 20468. I. S. No. 2007-x. S. No. C-4827.)

On or about September 21, 1925, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 300 tubs of butter, at Memphis, Tenn., alleging that the article had been shipped by the Armour Creameries, from Jackson, Miss., May 29, 1925, and transported from the State of Mississippi into the State of Tennessee, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it did not contain 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923.

On November 7, 1925, Armour & Co., Chicago, Ill., claimant, having prayed release of the product upon payment of the costs of the proceedings and having executed a bond in the sum of \$4,000, a decree of the court was entered, ordering that the said product be released under bond to the claimant to be reconditioned and retreated so as to meet the objections made to the said butter in the libel.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13989. Adulteration of chestnuts. U. S. v. 14 Kegs of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20627. I. S. No. 4937-x. S. No. E-5551.)

On or about November 7, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 14 kegs of chestnuts, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by A. Papalia, from New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On December 10, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13990. Adulteration of canned salmon. U. S. v. 665 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20442. I. S. No. 49-x. S. No. W-1786.)

On September 23, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 665 cases of canned salmon, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Alaska Packers Assoc., alleging that the article had been shipped from Bristol Bay, Alaska, and transported from the Territory of Alaska into the State of California, arriving at San Francisco, Calif., August 24, 1925, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Brand Alaska Packers Association San Francisco" (design of a fish) "48 Tins Salmon N 18."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On December 12, 1925, the Alaska Packers Assoc. having appeared as claimant for the property and having consented to the entry of a decree,